

John Campbell, Esq.
Office of the Solicitor
U.S. Department of Labor
201 Varick Street, Room 983
New York, New York 10014
Tel. 212-337-2111

SOL:JC
(06)03007

UNITED STATES DISTRICT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ELAINE L. CHAO, Secretary of Labor,
United States Department of Labor,

Plaintiff,

v.

ORBITECH FINANCIAL SERVICES GROUP, INC
401(K) PLAN,

Defendant.

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:

:

:

:

Civil Action File

No. 07-4843

SERVICE NOTICE

PLEASE TAKE NOTE that Elaine L. Chao, Secretary of Labor, United States Department of Labor, the Plaintiff in this matter, tells the Court that she has effected service on the Defendant Orbitex Financial Services Group, Inc. 401(k) Plan as follows:

1. The Secretary's Investigators have left copies of the summons and complaint at the residence for the last known administrator of the Defendant, as described in the Return of Service Form attached hereto as Exhibit A; and,

2. Copies of the summons and complaint for this matter have been mailed to the last known administrator of the Defendant, as described in the Certificate of Service attached hereto as Exhibit B.

DATED: June 18, 2007
New York, New York

PATRICIA M.R ODENHAUSEN
Regional Solicitor

BY: *John G. Campbell*
JOHN G. CAMPBELL
Attorney JC (2125)

POST OFFICE ADDRESS:

U.S. Department of Labor
Office of the Solicitor
201 Varick Street, Room 983
New York, New York 10014
(212) 337-2078/2111
FAX (212) 337-2112

EXHIBIT A

RETURN OF SERVICE

Service of the Summons and Complaint was made by me¹

DATE

6/14/07 6:50 PM

NAME OF SERVER (PRINT)

Bernard Dolinsky

TITLE

Senior Investigator

Check one box below to indicate appropriate method of service



Served personally upon the defendant. Place where served: _____



Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: Raul Aleman - Doorman
77-Seventh Ave - NYC - 212-929-0642

Returned unexecuted: _____



Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

6/12/07

Date

RC RC

Signature of Server

US DOL/ERISA

33 Whitehall St, NYC

Address of Server

Bernard Dolinsky
Investigator
June 12, 2007

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

EXHIBIT B

John Campbell, Esq.
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UNITED STATES DISTRICT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ELAINE L. CHAO, Secretary of Labor,
United States Department of Labor,

Plaintiff,

v.

ORBITEX FINANCIAL SERVICES GROUP, INC
401(K) PLAN,

Defendant.

:
:
: Civil Action File
: No. 07-4843
:
: **CERTIFICATE OF MAIL**
: **SERVICE**

I, TAMMY LOWERY, being duly sworn, hereby declare the following under penalty of perjury:

1. I am employed by the U.S. Department of Labor, Office of the Solicitor, at 201 Varick Street, Room 983, New York, New York 10014.

2. On Thursday, June 14, 2007, I mailed via regular mail copies of the Summons and Complaint for this matter to Mitchell Appel at 77 Seventh Avenue, New York, New York 10011.

I mailed these documents to that address in a securely sealed first class mail envelope.

Dated: June 18, 2007
New York, New York

/s/ 